

REMARKS

Status of the Claims

Restriction Requirement in parent

In the parent application U.S. Serial Number (USSN) 09/493,022, the Patent Office alleged that the pending claims of that application were directed to three separate and distinct inventions under 35 U.S.C. §121:

Group I: Claims 1-8, drawn to computer-implemented methods of generating a 3-D representation of a target sequence wherein the entire target sequence is listed, classified in Class 702, subclass 19.

Group II: Claims 9-11, computer-implemented methods of generating a 3-D representation of a target sequence wherein identity constraints, 2-D constraints, and tertiary constraints are used, classified in Class 702, subclass 19.

Group III: Claims 12-13, drawn to computer-implemented methods of generating a 3-D representation of a target sequence wherein an alignment of the target sequence with another sequence is used, classified in Class 702, subclass 19.

Group I elected in parent

In the parent application Applicants elected Group I, drawn to computer-implemented methods of generating a 3-D representation of a target sequence wherein the entire target sequence is listed, classified in Class 702, subclass 19.

Claims canceled

In the instant preliminary amendment for this divisional application, Applicants cancel claims 1 to 8, and 12 and 13; thus, claims directed to Group II, drawn to computer-implemented methods of generating a 3-D representation of a target sequence wherein identity constraints, 2-D constraints, and tertiary constraints are used, classified in Class 702, subclass 19, remain pending. Thus, after entry of the instant amendment, claims 9, 10 and 11 remain pending.

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CONCLUSION

It is believed that the all claims pending in this application (after entry of the instant amendment) are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If any additional necessary fee is required, the Commissioner is authorized to deduct such a fee from the undersigned's Deposit Account No. 06-1050. Please credit any overpayments to the above-noted Deposit Account.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (858) 678-5070.

Date:

October 17, 2001

Respectfully submitted,

Gregory P. Einhorn

Gregory P. Einhorn
Reg. No. 38,440

Fish & Richardson P.C.
4350 La Jolla Village Drive, Suite 500
San Diego, California 92122
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

Version with markings to show changes made

In the specification:

On page 1, the second paragraph entitled "Related Applications" was replaced with the following modified paragraph:

--This application claims the benefit of priority under 35 U.S.C. § 119(e) of U.S. Provisional Application Serial No. (USSN) 60/117,570, filed January 27, 1999, and USSN 60/118,844, filed February 5, 1999. This application also is a divisional of U.S. Patent Applications Serial No. ("USSN") 09/493,022, filed January 27, 2000, now pending. Each of the aforementioned applications are explicitly incorporated herein by reference in their entirety and for all purposes.--

In the claims:

Claims 1 to 8, 12 and 13, are canceled.

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